

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

BRANDON G. EDMONDS,

Plaintiff,

vs.

**Case No.: 2:16-cv-930
JUDGE GEORGE C. SMITH
Magistrate Judge Jolson**

CITY OF NEWARK, *et al.*,

Defendants.

ORDER

On November 29, 2016, the United States Magistrate Judge issued a *Report and Recommendation* recommending that Plaintiff's Complaint be dismissed for failure to state a claim upon which relief may be granted. (*See Report and Recommendation*, Doc. 4). The parties were advised of their right to object to the *Report and Recommendation*. This matter is now before the Court on Plaintiff's Objections to the *Report and Recommendation*. (*See* Doc. 5). The Court will consider the matter *de novo*. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3).

The objections present the same issues presented to and considered by the Magistrate Judge in the *Report and Recommendation*. Plaintiff objects to the Magistrate Judge's conclusion that the home Plaintiff alleges was illegally searched belongs to Tiara Evans. He asserts that although Ms. Evans technically rents the home, he still resides there and was victimized by the search. However, Plaintiff's Complaint still fails to state a claim for relief that is plausible on its face. Therefore, for the reasons stated in the *Report and Recommendation*, this Court finds that Plaintiff's objections are without merit and are hereby **OVERRULED**.

The *Report and Recommendation*, Document 4, is **ADOPTED** and **AFFIRMED**.

Plaintiffs' Complaint is hereby **DISMISSED** for failure to state a claim.

The Clerk shall remove Documents 4 and 5 from the Court's pending motions list. The Clerk shall terminate this case.

IT IS SO ORDERED.

/s/ George C. Smith
GEORGE C. SMITH, JUDGE
UNITED STATES DISTRICT COURT